ATES PATENT AND TRADEMARK OFFICE IN THE UNITED S

In re Patent Application of Caroline DELATTRE et al.

Application No.: 10/757,505

Filing Date:

January 15, 2004

Group Art Unit: 1651

Examiner: Susan Emily Fernandez

Confirmation No.: 6320

Title: TOPICALLY APPLICABLE COSMETIC/DERMATOLOGICAL

COMPOSITIONS COMPRISING HYDROLASE

POLYPEPTIDES HAVING AMIDASE ACTIVITY AND/OR PRODUCTS MODULATING THE ACTIVITY THEREOF

FIRST INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:					
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1.21 that		by this pape			C.F.R. §§ 1.16, 1.17 and sit Account No. 02-4800
			Respe	ectfully submitted,	
			BURN	IS, DOANE, SWECK	(ER & MATHIS, L.L.P.
P.O. Box Alexandr (703) 836	ia, Virginia 2231	3-1404	By _	Mary Katherine Baum	La Cauneistic
Date: Fe	bruary 23, 2005		F	Registration No. 26,	254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Caroline DELATTRE et al.

Application No.: 10/757,505

Filed: January 15, 2004

For: TOPICALLY APPLICABLE

COSMETIC/DERMATOLOGICAL COMPOSITIONS COMPRISING HYDROLASE POLYPEPTIDES

HAVING AMIDASE ACTIVITY AND/OR

PRODUCTS MODULATING THE

ACTIVITY THEREOF

MAIL STOP AMENDMENT

Group Art Unit: 1651

Examiner: Susan Emily Fernandez

Confirmation No.: 6320

FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

It is requested that the Examiner consider the documents listed on the accompanying Form PTO-1449. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents listed is enclosed. These documents were cited in a preliminary search report issued in connection with the corresponding French application. A copy of the French search report and an English translation thereof are enclosed.

The following remarks are offered with respect to the documents cited in the French search report:

FR 2357246 is in French and no English-language counterpart or English translation is available to applicants. This document discloses a <u>pharmaceutical composition</u> with <u>anti-inflammatory and analgesic activity</u> comprising the association of hydrolase, thyroxin, adrenalin and an excipient enhancing the cutaneous penetration and diffusion of the actives into the blood circulation. The amidases are mentioned in claim 2 as examples of hydrolases; however, all examples are related to glycosidases (examples: mucopolysaccharidase, alpha-chymotrypsine, hyaluronidase and alpha-amylase), which are distinct from hydrolases with amidasic function. Moreover, there is no mention of any prodesquamating activity of said hydrolyases. Thus, this document does not teach or suggest

FIRST Information Disclosure Statement
Application No. 10/757,505
Attorney's Docket No. 016800-583
Page 2

the instant regimes or regimens for promoting desquamation by applying hydrolases with amidasic activity and related applications.

The abstract of the article by <u>Määttä et al.</u> is classified as a general state of the art reference in the French search report. It refers to the link between aspartylglucosaminuria (AGU) and lack of aspartylglucosylaminase.

<u>WO 96/24371</u> is also classified as a general state of the art reference in the French search report. It discloses multifunctional enzymes that can be derived from crustaceans or fish (examples: chymotrypsin, trypsin, elastase, collagenase and hydrolase.

This statement, Form PTO-1449 and accompanying papers are being submitted together with a response to a Restriction Requirement, before the first Office Action on the merits. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

As mentioned above, this Information Disclosure Statement contains information which is not in the English language but was cited in a search report by a foreign patent office in a counterpart foreign application. In accordance with MPEP § 609 III A(3), an English language version of the search report which indicates the degree of relevance found by the foreign office is being submitted herewith.

It is respectfully requested that the Examiner consider this statement and accompanying documents and other papers and return an Examiner-initialed copy of the accompanying Form PTO-1449 to the undersigned with the next official communication.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date February 23, 2005

Mary Katherine Baumeister Registration No. 26,254

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Com	plete if Known
Application Number	10/757,505
Filing Date	January 15, 2004
First Named Inventor	Caroline DELATTRE et al.
Examiner Name	Susan Emily Fernandez
Attorney Docket Number	016800-583

U.S. PATENT DOCUMENTS						
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)		

FOREIGN PATENT DOCUMENTS											
STATUS											
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	2 357 246	Α	FR	02-03-1978				Х			<u> </u>
	96/24371	Α	WO	08-15-1996				Х			
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	NON-PATENT LITERATURE DOCUMENTS						
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.						
	DATABASE MEDLINE on line, U.S. National Library of Medicine (NLM), Bethesda, MD, US, Määttä et al.,						
	Database accession no. NLM 8312372, abstract of BIOCHIMICA ET BIOPHYSICA ACTA.,						
	NETHERLANDS, February 22, 1994, vol. 1225, no. 3, pp. 264-270.						

Examiner	· -	Date		
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